

REMARKS

In the Final Office Action,¹ the Examiner:

- 1) rejected claims 1, 3, 4, and 11 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,002,689 to Christie et al. ("Christie");
- 2) rejected claims 1 and 5-14 under 35 U.S.C. § 103(a) as being unpatentable over Modarressi and Mohan, "Control and Management in Next-Generation Networks: Challenges and Opportunities," IEEE Communications Magazine, October 2000 ("Modarressi") in view of *Christie*; and
- 3) rejected claim 8 under 35 U.S.C. § 103(a) as being unpatentable over *Christie* in view of Williams, "The Softswitch Advantage," IEE Review, July 2002 ("Williams").

Rejection of Claims 1, 3, 4, and 11 under 35 U.S.C. § 103(a)

Applicants respectfully traverse the rejection of claims 1, 3, 4, and 11 under 35 U.S.C. § 103(a) as being unpatentable over *Christie*. A *prima facie* case of obviousness has not been established.

"The key to supporting any rejection under 35 U.S.C. 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious." M.P.E.P. § 2142(III) (8th Ed., Rev. 7, July 2008). "[T]he framework for objective analysis for

¹ The Final Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement of characterization in the Final Office Action.

determining obviousness under 35 U.S.C. 103 is stated in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966). . . . The factual inquiries . . . are as follows:

- (A) [Determining the scope and content of the prior art;]
- (B) Ascertaining the differences between the claimed invention and the prior art;

and

- (C) Resolving the level of ordinary skill in the pertinent art."

M.P.E.P. § 2141(II). "Office personnel must explain why the difference(s) between the prior art and the claimed invention would have been obvious to one of ordinary skill in the art." M.P.E.P. § 2141(III).

Independent claim 1 recites a method of "interworking . . . between two broadband heterogeneous networks."

Consistent with one embodiment of the claimed invention, "heterogeneous networks . . . have different address planning and different network structures." Applicants' specification, p. 1, para. 3. One technical problem of the prior art addressed by the present invention is where two IP telephone users in two heterogeneous networks cannot communicate with each other because the two heterogeneous networks have different network address planning.

Christie discloses networks, such as B-ISDN, SONET, SDH, and ATM. See *Christie*, col. 7, lines 59 to col. 8, lines 50. However, *Christie* does not disclose that these networks are heterogeneous. Furthermore, *Christie* discloses "[a] system to interworking a call between a plurality of networks having different formats." *Christie*, abstract. However, networks having different formats are not necessarily "heterogeneous networks," as recited in claim 1. Therefore, *Christie*'s fails to disclose

"interworking . . . between two broadband heterogeneous networks," as recited in claim 1.

Independent claim 1 further recites "establishing a mapping between the two media ports within the media interworking equipment."

Christie discloses, "call signaling is transmitted to the signaling processor 202" (col. 12, lines 1-2), "signaling processor 202 determines that the call is to be connected to the ATM communication device 210 . . . [and] sends a control message to the interworking unit 204 identifying the selected connection 120 to the ATM communication device 210" (col. 12, lines 37-41), and "internetworking unit 204 receives the control message . . . then converts the user communications that are being received on the DS0 connection 118 to ATM cells that identify the selected connection 120 to the ATM communication device 210" (col. 12, lines 45-50). The "format conversion" disclosed in *Christie* (for example, col. 12, line 27) cannot constitute "establishing a mapping between two media ports," as recited in claim 1.

For at least the foregoing reasons, the scope and content of the prior art have not been properly determined, and the differences between the prior art and claim 1 have not been properly ascertained. Accordingly, no reason has been clearly articulated as to why the prior art would have rendered claim 1 obvious to one of ordinary skill in the art. Therefore, a *prima facie* case of obviousness has not been established with respect to claim 1.

Furthermore, independent claim 11, although different in scope from claim 1, is allowable for at least the same reasons as claim 1. In addition, dependent claims 3 and 4 are allowable at least due to their dependence from allowable independent claim 1.

Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claims 1, 3, 4, and 11 under 35 U.S.C. § 103(a).

Rejection of Claims 1 and 5-14 under 35 U.S.C. § 103(a)

Applicants respectfully traverse the rejection of claims 1 and 5-14 under 35 U.S.C. § 103(a) as being unpatentable over *Modarressi* in view of *Christie*. A *prima facie* case of obviousness has not been established.

Independent claim 1 recites a method of “interworking . . . between two broadband heterogeneous networks, . . . the method comprising[] . . . establishing a mapping between the two media ports within the media interworking equipment.”

Modarressi “outlin[es] the fundamental requirements and salient features of (control and management in) NGN [new generation network].” *Modarressi*, p. 95, left column. For example, Fig. 4 of *Modarressi* depicts two soft switches connected to one packet network. Such an isomorphic network cannot teach or suggest the claimed “heterogeneous networks.” Therefore, *Modarressi* fails to teach or suggest “interworking . . . between two broadband heterogeneous networks,” as recited in claim 1.

Furthermore, *Modarressi* discloses, “egress RG [residential gateway] informs the MGC [media gateway controller] that it can receive . . . on a certain port . . . [and then] MGC informs the calling RG of the port provided by the egress RG.” *Modarressi*, p. 101, left column. Performing the same steps for the calling RG would allow “RGs at both ends of the call . . . [to] know which port to send . . . packets to and which to

receive on." *Id.* However, *Modarressi* is completely silent with respect to "establishing a mapping between the two media ports," as recited in claim 1.

In addition, *Christie* fails to cure the deficiencies of *Modarressi* because, as discussed above, *Christie* fails to teach or suggest a method of "interworking . . . between two broadband heterogeneous networks, . . . the method comprising[] . . . establishing a mapping between the two media ports within the media interworking equipment," as recited in claim 1.

For at least the foregoing reasons, the scope and content of the prior art have not been properly determined, and the differences between the prior art and claim 1 have not been properly ascertained. Accordingly, no reason has been clearly articulated as to why the prior art would have rendered claim 1 obvious to one of ordinary skill in the art. Therefore, a *prima facie* case of obviousness has not been established with respect to claim 1.

Furthermore, independent claim 11, although different in scope from claim 1, is allowable for at least the same reasons as claim 1. In addition, dependent claims 5-10 and 12-14 are allowable at least due to their dependence from allowable independent claims 1 and 11. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claims 1 and 5-14 under 35 U.S.C. § 103(a).

Rejection of Claim 8 under 35 U.S.C. § 103(a)

Applicants respectfully traverse the rejection of claim 8 under 35 U.S.C. § 103(a) as being unpatentable over *Christie* in view of *Williams*. A *prima facie* case of obviousness has not been established.

Claim 8 depends from and requires all the elements of independent claim 1, which recites a method of “interworking . . . between two broadband heterogeneous networks, . . . the method comprising[] . . . establishing a mapping between the two media ports within the media interworking equipment.”

As discussed above, *Christie* fails to teach or suggest the above-quoted elements of claim 1, which are required by claim 8. Regardless of whether the Examiner’s characterization of *Williams* in the Final Office Action is correct, *Williams* fails to cure the deficiencies of *Christie* at least because *Williams* fails to teach or suggest a method of “interworking . . . between two broadband heterogeneous networks, . . . the method comprising[] . . . establishing a mapping between the two media ports within the media interworking equipment,” as recited in claim 1, and required by claim 8.

For at least the foregoing reasons, the scope and content of the prior art have not been properly determined, and the differences between the prior art and claim 8 have not been properly ascertained. Accordingly, no reason has been clearly articulated as to why the prior art would have rendered claim 8 obvious to one of ordinary skill in the art. Therefore, a *prima facie* case of obviousness has not been established with respect to claim 8. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claim 8 under 35 U.S.C. § 103(a).

Conclusion

Applicants respectfully request that the Examiner enter these amendments under 37 C.F.R. § 1.116, placing claims 1 and 3-14 in condition for allowance. Applicants

submit that the proposed amendments do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner. Therefore, these amendments should allow for immediate action by the Examiner.

Applicants further submit that the entry of the amendments would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

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